

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

July 29, 2020 – Agenda Item IX

Resolution No. 20-87

RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY ORDERING AN ELECTION ON A SPECIAL TAX, ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND REQUESTING CONSOLIDATION WITH OTHER ELECTIONS OCCURRING ON TUESDAY, NOVEMBER 3, 2020

WHEREAS, the Governing Board (the “Board”) of the Mountains Recreation and Conservation Authority (the “MRCA”) has determined that it is in the best interests of the residents of a certain area managed and protected by the MRCA within a portion of the Santa Monica Mountains Conservancy Zone in the City of Los Angeles, located in the Santa Monica Mountains west of Griffith Park and east of Interstate 405 (the “Eastern Santa Monica Mountains / Hollywood Hills Area” or the “Area”), to approve a special tax to provide funds necessary to provide for maintenance and preservation of local open space, parkland, wildlife corridors, natural habitats, nature lands, waters, and facilities, the acquisition of additional local lands to protect such lands from development and to provide additional wildlife corridors and open space in the Eastern Santa Monica Mountains / Hollywood Hills Area, to protect water quality in local streams and reservoirs, to provide fire prevention services including high fire alert fire prevention patrols and brush clearing for fire prevention, and to park ranger safety and security patrols; and

WHEREAS, pursuant to MRCA Resolution No. 20-86, adopted by this Board on July 29, 2020, to establish a community facilities district within the Area for the purpose of collecting and expending the proposed special tax for local open space, fire prevention, park ranger services and water quality, and pursuant to the provisions of the Government Code referenced therein, the Board hereby adopts this resolution which shall, subject to the approval of the voters, impose a special tax of \$68.00 per parcel, on all taxable developed real property within the Eastern Santa Monica Mountains / Hollywood Hills Area (the “Special Tax”); and

WHEREAS, if approved by the voters within the Area, the Special Tax will be used for the purpose of maintaining, acquiring, improving, servicing, protecting and preserving open space, parkland, wildlife corridors, natural habitats, lands, waters, facilities and fire protection and park ranger services (the “Services and Facilities”) in the Eastern Santa Monica Mountains / Hollywood Hills Area; and administrative or incidental costs thereto, but only to the extent that funds are not already available to provide the Services and Facilities within the Area; and

WHEREAS, Developed Parcels owned and occupied by a person or persons whose combined family income is at or below 50% of the median family income for the Los Angeles-Long Beach-Glendale, CA United States Department of Housing and Urban Development Metro Fair Market Rents Area shall be exempt from the special tax. Property owners seeking a low-income exemption must submit an application and provide the required verification documentation by June 1 prior to the tax year. The Board shall establish administrative procedures for the administration of this exemption.

WHEREAS, pursuant to the California Elections Code, the Board may request consolidation of the election on the proposed Special Tax with any and all other elections to be held on Tuesday, November 3, 2020, and may also request the Los Angeles County Registrar of Voters to perform certain election services for the MRCA; and

WHEREAS, Section 53327 of the Government Code requires that an impartial analysis be provided to the voters, and also provides that the ballot materials may include written arguments and rebuttals for or against any ballot proposition.

NOW, THEREFORE, BE IT RESOLVED:

1. Call for Election. The Board hereby orders an election and submits to the voters in the Eastern Santa Monica Mountains / Hollywood Hills Area the question of whether the Special Tax shall be implemented for the purposes of maintaining, improving, servicing, protecting, and preserving open space, parkland, wildlife corridors, natural habitats, lands, waters, and facilities owned, managed or maintained by the MRCA within the Eastern Santa Monica Mountains / Hollywood Hills Area; for financing the acquisition of additional lands and protection of such lands from development in the Eastern Santa Monica Mountains / Hollywood Hills Area; park ranger patrols and services; and fire prevention and fire protection services ("Services and Facilities"); and paying any administrative or incidental expenses thereto, including any costs related to the collection or use of the special tax. The Services and Facilities include, but are not limited to, the protection of water quality, the reduction of the risk of wildfires, park ranger services, and the collection and accumulation of reserves for the aforementioned purposes. This Resolution constitutes the order of the MRCA to call such election.
2. Election Date. The date of the election shall be November 3, 2020, and the election shall be held solely within the boundaries of the Eastern Santa Monica Mountains / Hollywood Hills Area, as further depicted in the ballot proposition attached hereto as Exhibit A, and incorporated herein.

3. Purpose of Election; Ballot Proposition. The purpose of the election shall be for the voters in the Eastern Santa Monica Mountains / Hollywood Hills Area to vote on a proposition, a full copy of which is attached hereto as Exhibit A, containing the question of whether the MRCA shall implement the Special Tax for the purposes stated therein. The abbreviated form of the proposition to appear on the ballot, as required by Elections Code Section 13247, is attached hereto as Exhibit B, and incorporated herein. The Executive Officer of the MRCA, or his or her designee, is hereby authorized and directed to make any changes to the text of the full or abbreviated version of the proposition as required to conform to any requirements of the Government Code, the Elections Code or the Los Angeles County Registrar of Voters.
4. Use of Proceeds. If approved by the voters, the Special Tax will be used for the Services and Facilities within the Eastern Santa Monica Mountains / Hollywood Hills Area, as described in Section 1, above, and for any administrative or incidental expenses thereto, including any costs related to the collection or use of the Special Tax, as set forth more fully in the ballot proposition approved pursuant to Section 3, above. The Services and Facilities include, but are not limited to, the acquisition and maintenance of open space, the protection of water quality, the reduction of the risk of wildfires, park ranger services within the Area, and the collection and accumulation of reserves for the aforementioned purposes.
5. Accountability Report. In accordance with Government Code Section 50075.3, the Executive Officer of the MRCA, or his or her designee, shall file a report with the Board no later than January 1 of the following Fiscal Year for which the Special Tax is in effect. The annual report shall contain both of the following: (a) the amount of funds collected and expended and (b) the status of any project required or authorized to be funded with the proceeds of the Special Tax in accordance with this Section.
6. Citizens' Oversight. A citizens' oversight committee shall be appointed by the Board and shall review and report annually on the expenditure of the Special Tax revenues.
7. Effective Date and Term. The Special Tax shall be deemed established and shall be in effect as of the day following the election, upon certification by the Los Angeles County Registrar of Voters of the election results evidencing approval by at least two-thirds of the registered voters voting thereon. If approved, the Special Tax may be levied for a term not to exceed ten (10) years.

8. Consolidation of Election. The Los Angeles County Registrar of Voters and the Los Angeles County Board of Supervisors are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on November 3, 2020, within the Eastern Santa Monica Mountains / Hollywood Hills Area.
9. Reimbursement of Costs. The MRCA shall reimburse the County of Los Angeles (the "County") for services performed when the election process is completed and upon presentation to the MRCA of a properly approved bill.
10. Collection of Special Tax. Unless otherwise ordered pursuant to a resolution adopted by the Board, the Special Tax shall be collected annually through the County of Los Angeles property tax bill in the same manner as the County property taxes are collected, and subject to the same penalties. The Board shall annually take such steps as are necessary to have the Special Tax collected through the County property tax bill and shall coordinate with the County Auditor and the County Tax Collector in this regard. The County shall be entitled to deduct its reasonable costs incurred in collecting the Special Tax before the balance of the Special Tax payments are remitted to the MRCA. Upon receipt of the Special Tax proceeds the MRCA shall cause same to be deposited in a Special Tax account or such other account established by the MRCA which allows the MRCA to properly account for the Special Tax in compliance with the provisions of Government Code Section 50075.3.
11. Validation. Pursuant to the provisions of Government Code Section 50077.5 any judicial action or proceeding to attack, review, set aside, void or annul this resolution and/or the approval of the subject Special Tax shall be commenced, if at all, within sixty (60) days of the date of the adoption hereof.

Chair

AYES:

NOS:

ABSTAIN:

ABSENT:

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I HEREBY CERTIFY that the foregoing resolution was adopted at a special meeting of the governing board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 29th day of July, 2020.

Date: 7/29/20

Executive Officer

EXHIBIT A

FULL TEXT OF BALLOT PROPOSITION MOUNTAINS RECREATION AND CONSERVATION AUTHORITY SPECIAL TAX FOR LOCAL FIRE PREVENTION, WATER QUALITY AND OPEN SPACE

The Mountains Recreation and Conservation Authority ("MRCA") is a local park agency whose members include the Santa Monica Mountains Conservancy, the Conejo Recreation and Park District, and the Rancho Simi Recreation and Park District, that is responsible for maintaining and improving open space, parkland and wildlife corridors and for providing fire protection and prevention services and park ranger patrols and services within the Santa Monica Mountains Conservancy Zone. The MRCA currently maintains over 1,850 acres of local open space, parkland and wildlife corridors, in the Santa Monica Mountains west of Griffith Park and east of Interstate 405 (the "405 Freeway"), (the "Eastern Santa Monica Mountains / Hollywood Hills Area" or the "Area").

Unlike most public agencies, the MRCA and Santa Monica Mountains Conservancy do not receive permanent ongoing funding from local or state taxes. A major challenge the MRCA currently faces is that its revenues have decreased while costs to protect and maintain parks and open space and to prevent local wildfires have increased due to the greater use of public open space and parklands and warmer temperatures, which have increased the risk of wildfires. Additional park maintenance and expanded park ranger patrols and services are needed to maintain and protect MRCA lands, including unauthorized homeless encampments that create greater risks for wildfires.

Due to these factors, the fire risk and fire danger in the Eastern Santa Monica Mountains and Hollywood Hills Area is significantly higher. If this measure is approved, the MRCA would expand and improve its fire prevention services, including high fire alert patrols, and more extensive brush clearing on MRCA lands to reduce and eliminate fire hazards. This measure would also improve wildfire safety by funding new brush clearing services along Mulholland Drive in the Eastern Santa Monica Mountains and Hollywood Hills Area on lands that are owned by the City of Los Angeles and that are currently not being cleared of dry brush. This measure would also further improve local fire safety and visual aesthetics with new irrigated green areas around the Mulholland Overlooks.

The Santa Monica Mountains are home to many different plant and animal species. As human populations grow, it is critical that the wildlife corridors between the 405 Freeway and Griffith Park are permanently protected. These wildlife corridors are necessary to ensure mountain lions, deer and other remaining large animals can survive in the Area.

EXHIBIT A

The MRCA is the only public agency that actively acquires and maintains open space and conservation easements for wildlife corridors in this Area. The MRCA also acquires and protects remaining open space lands from development in the Area.

Therefore, in order to maintain local fire protection and prevention services including brush clearing and improved fire prevention services such as new brush clearing and fire prevention services along Mullholland Drive on lands that are currently overgrown with dry flammable brush; responsibly removing homeless encampments; and new irrigation to maintain green vegetation around the Mulholland Overlooks which will improve fire safety and visual aesthetics; to continue to preserve and maintain extensive open space, parkland, wildlife corridors, natural habitats, lands, waters, and related facilities; to protect water quality in local creeks and streams; and to provide park ranger safety and security patrols and services, the MRCA is proposing a local special tax within a community facilities district located in a designated portion of the Santa Monica Mountains and Hollywood Hills located west of Griffith Park and east of Interstate 405, as shown on the map accompanying this proposition (the "Eastern Santa Monica Mountains / Hollywood Hills Area").

The summary of the proposed ballot proposition is:

To improve local wildfire prevention/ protection services including clearing dry brush/ fire hazards; protect local open space and wildlife corridors; park ranger patrols for wildfires and to prevent arson, vandalism and responsibly remove homeless encampments; and to protect local water quality, shall the Mountains Recreation and Conservation Authority measure establishing a \$68 special tax for ten years only be adopted, providing \$1,940,000 annually with independent citizen oversight and all money spent in the Santa Monica Mountains/ Hollywood Hills east of 405 freeway?

Developed parcels subject to the special tax are those parcels that appear on the annual secured Los Angeles County property tax rolls, and that have been improved for residential, commercial or other purposes. Unimproved parcels within the Eastern Santa Monica Mountains / Hollywood Hills Area shall be exempt from the special tax.

Also, developed parcels owned and occupied by a person or persons whose combined family income is at or below 50% of the median family income for the Los Angeles-Long Beach-Glendale, CA United States Department of Housing and Urban Development Metro Fair Market Rents Area shall be exempt from the special tax. Property owners seeking a low-income exemption must submit an application and provide the required verification

EXHIBIT A

documentation by June 1 prior to the tax year. The Board shall establish administrative procedures for the administration of this exemption.

If approved by the voters, the special tax will be used for the purposes of maintaining, improving, servicing, protecting, and preserving open space, parkland, wildlife corridors, natural habitats, lands, waters, and facilities owned, managed or maintained by the MRCA within the Eastern Santa Monica Mountains / Hollywood Hills Area; for financing the acquisition of additional lands and protection of such lands from development in the Eastern Santa Monica Mountains / Hollywood Hills Area; for park ranger patrols and services; and for the reduction of the risk of wildfires including fire protection, prevention and suppression and brush clearing ("Services and Facilities"); and paying any administrative or incidental expenses thereto, including any costs related to the collection or use of the special tax. The Services and Facilities include, but are not limited to, the protection of water quality, the reduction of the risk of wildfires, park ranger safety and security services, and the collection and accumulation of reserves for the aforementioned purposes.

The special tax revenues shall be deposited into a separate account for exclusive use by the Mountains Recreation and Conservation Authority, in accordance with Government Code Section 50075.1, and shall be expended by the MRCA according to a plan developed annually by the MRCA's staff and approved and adopted by the MRCA's Board of Directors. A citizens' oversight committee appointed by the Board will review and report annually on the expenditure of the special tax revenues.

The MRCA will submit an annual report to its Board of Directors, which includes the amount of special tax revenues collected and expended, and fully complies with the accountability measures established in Government Code Sections 50075 et seq.

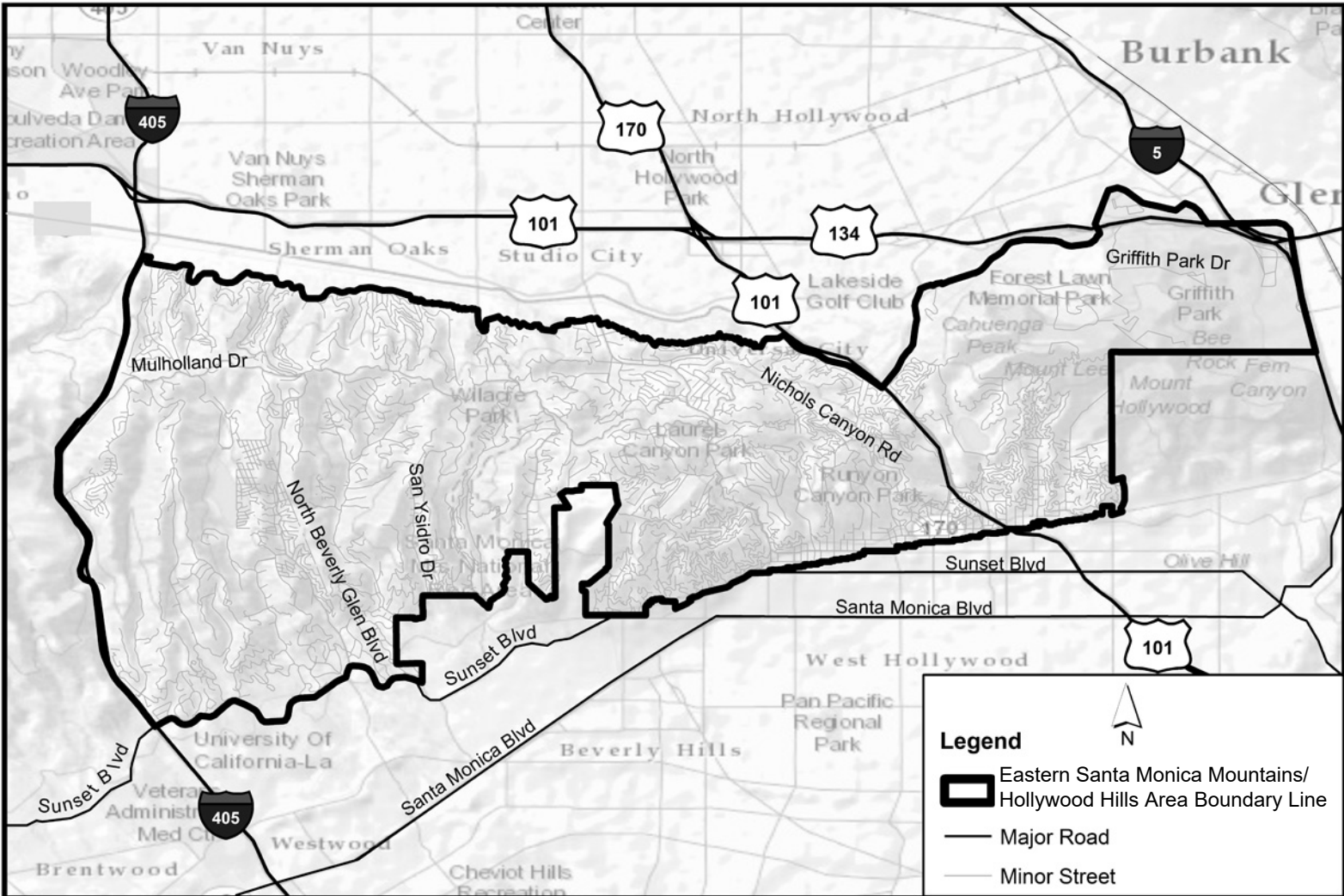
EXHIBIT B

ABBREVIATED TEXT OF THE BALLOT PROPOSITION

The question submitted to the voters shall read substantially as follows:

To improve local wildfire prevention/ protection services including clearing dry brush/ fire hazards; protect local open space and wildlife corridors; park ranger patrols for wildfires and to prevent arson, vandalism and responsibly remove homeless encampments; and to protect local water quality, shall the Mountains Recreation and Conservation Authority measure establishing a \$68 special tax for ten years only be adopted, providing \$1,940,000 annually with independent citizen oversight and all money spent in the Santa Monica Mountains/ Hollywood Hills east of 405 freeway?

EXHIBIT B



Legend

-  Eastern Santa Monica Mountains/ Hollywood Hills Area Boundary Line
-  Major Road
-  Minor Street

